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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,466	01/25/2001	Toshiyuki Takao	FF-0131US	3951
7590	04/19/2004		EXAMINER	ZHOU, TING
McGinn & Gibb, PLLC Suite 200 8321 Old Courthouse Road Vienna, VA 22182-3817			ART UNIT	PAPER NUMBER
2173				
DATE MAILED: 04/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/768,466	TAKAO ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 March 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-4, 6-11, 13-18 and 20-26 is/are rejected.
 7) Claim(s) 5, 12 and 19 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Request for Continued Examination (RCE) filed on 12 March 2004 have been received and entered. Claims 1-26 are pending in this application.

Allowable Subject Matter

2. Claims 5, 12 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 6-11, 13-18 and 20-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Cannon et al. U.S. Patent 5,748,484.

Referring to claims 1, 8 and 15, Cannon et al. teach a system, method and recording medium (card display/order computer system) storing a program including instructions for

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performing a method comprising a paste-up information receiving unit for receiving paste-up information to paste on the operation screen (column 4, lines 55-58), a paste-up information setting unit (to personalize the card) for setting the position and size of the paste-up information to be pasted (column 11, lines 58-67 and column 12, lines 13-23), a barycenter of paste-up information coinciding with a predetermined point on the operation screen (for example, the image can be positioned at the center of the panel and therefore, a barycenter, or point of the image to be pasted must coincide with the predetermined point, or center of the display screen) (column 11, lines 62-67 and column 12, lines 1-23), and an operation screen creating unit for creating a new operation screen according to the results of the setting unit (card display system and printing system that allows users to view the cards created) (column 5, lines 64-67 and column 6, lines 1-4), wherein the operation screen is a control terminal which controls a remote terminal (printer) via a communication line (telecommunications link) (column 5, lines 23-29, 52-56 and 64-67).

Referring to claims 2, 9 and 16, Cannon et al. teach the paste-up information receiving unit including at least one of an image data reading unit for receiving image data and a text data receiving unit for receiving text data, as recited in column 4, lines 60-62.

Referring to claims 3, 10 and 17, Cannon et al. teach an external memory device in communication with the control terminal (card display/order system), wherein the paste-up information from a file recorded in the external memory device (image files stored in data storage units such as CD-ROM), as recited in column 5, lines 23-29 and column 13, lines 55-57.

Referring to claims 4, 11 and 18, Cannon et al. teach the paste-up information setting unit undertaking an automatic positioning setting process (automatically placing a signature or

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picture of the card purchaser) for coinciding a barycenter of paste-up information with a predetermined point on the operation screen (positioning the signature or picture in a specified position relative to the rest of the card; therefore, a point or position of the picture or signature need to be placed on, or coincide with a positional point on the display screen), as recited in column 12, lines 32-40. Furthermore, according to the specification of the application on page 11, lines 31-32 and continuing onto page 12, lines 1-11, the automatic positioning setting process automatically alters the size of the paste-up information in order to fit it in the paste-up information region. Cannon et al. teach the resizing of the received images so it will fit within a defined area, as recited in column 8, lines 58-68.

Referring to claims 6, 13 and 20, Cannon et al. teach the operation screen creating unit creating a plurality of the operation screens (a plurality of cards), having different designs based on a common setting value relating to a position, size and direction of the paste-up information (different designs for the cards but uses a common image such as a logo), as recited in column 7, lines 66-67 and column 8, lines 1-7.

Referring to claims 7, 14 and 21, Cannon et al. teach the control terminal (system for ordering and printing social expression cards) comprising a plurality of control terminals (database preparation system, card display/order facilities and card printing facilities), as recited in column 4, lines 52-58. The system, method and recording medium further comprises a paste-up information storing unit connected to the communication line, communicating with a plurality of control terminals (column 5, lines 23-29) for storing a setting value relating to the position, size and direction of the paste-up information and wherein the operation screen is updated in

accordance with the setting values of the paste-up information stored in the storing unit (column 11, lines 62-67).

Referring to claim 22, Cannon et al. teach a display device operably connected to a control terminal connected to a communication line for displaying an operation screen (column 5, lines 33-38), a paste-up information section and a screen arrangement section (used to personalize the card) having an input side connected to the information section and an output side connected to the display device (the inputs are received from the users regarding the desired characteristics of the card designs and outputted on the display screen), wherein the screen arrangement section is being operated by a user to automatically coincide a barycenter of inputted paste-up information with a predetermined point (automatically placing a signature or picture of the card purchaser by positioning the signature or picture in a specified position relative to the rest of the card; therefore, a point or position of the picture or signature need to be placed on, or coincide with a positional point on the display screen) (column 12, lines 32-40).

This is further recited in column 5, lines 57-67 and continuing onto column 6, lines 1-4.

Referring to claim 23, Cannon et al. teach the remote terminal comprising a printer, as recited in column 5, lines 33-38 and 52-56.

Referring to claim 24, Cannon et al. teach the operation screen (card display facility) located at the control terminal (the card display facility controls the appearance of the card and then sends the finished card to a remote printer terminal to be printed), as recited in column 5, lines 33-38.

Referring to claim 25, Cannon et al. teach a display device connected to the control terminal and displaying the operation screen, as shown in Figures 1 and 18 and recited in column 22, lines 61-67 and column 23, lines 1-17.

Referring to claim 26, Cannon et al. teach the remote terminal comprising a plurality of remote terminals, as recited in column 5, lines 23-29 and 39-43. This is further shown in Figure 18.

Response to Arguments

4. Applicant's arguments filed on 17 February 2004 have been fully considered but they are not persuasive.

Applicant asserts that the Cannon et al. reference does not teach or suggest "a paste-up information setting unit for setting the position and size of said paste-up information to be pasted on the operation screen, a barycenter of said paste-up information coinciding with a predetermined point on the operation screen". However, it is disclosed in the Cannon et al. reference that there is a paste-up information setting unit (to personalize the card) for setting the position and size of the paste-up information to be pasted (column 11, lines 58-67 and column 12, lines 13-23), a barycenter of paste-up information coinciding with a predetermined point on the operation screen (for example, the image can be positioned at the center of the panel and therefore, a barycenter, or point of the image to be pasted must coincide with the predetermined point, or center of the display screen) (column 11, lines 62-67 and column 12, lines 1-23). Placing an image onto the screen requires that a certain point (barycenter) of the image be matched with a predetermined point of the screen and this matching of points sets the position of

the paste-up information, or image for example. Also, Cannon et al. teach the resizing of the received images so it will fit within a defined area, as recited in column 8, lines 58-68. This resizing of the received images sets the size of the paste-up information.

The applicant asserts that the Cannon et al. reference does not teach or suggest “a paste-up information setting unit, but instead teaches that the user selects the location of the text”. However, when the user selects and enters the position to place the text, he is setting the position of the information (text) to be pasted (column 11, lines 58-67 and column 12, lines 13-23). After the user inputs desired positional values of the information to be pasted, the system has to set, or place the image or text onto the display.

Furthermore, the applicant asserts that “the only positional relationship disclosed by Cannon et al. is automatically placing an area or field for an image in a specified relationship to other card components”. However, by placing an image in a specified relationship to other card components, such as 0.25 inches below a text area (column 12, lines 32-40), the image is set at a predetermined position on the screen. Some point on the image needs to be matched with a point on the screen to ensure that it meets the requirement of being 0.25 inches below a text area. Therefore, it can be seen that the Cannon et al. reference anticipates the subject invention.

Conclusion

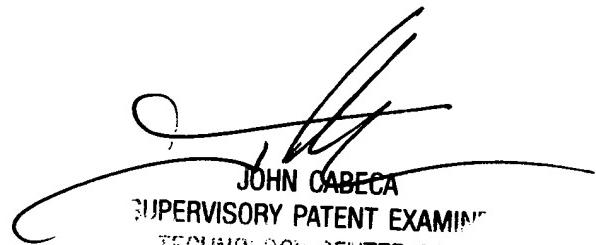
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 6, 2004



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2